

Dispersitive

OGC HAS REVIEWED.

LS 6-1826a

19 September 1956

MEMORANDUM FOR: Director of Personnel

SUBJECT : Movement of Household Effects

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1. Your memorandum of 12 September 1956 requested a determination as to whether or not the movement of the household effects of [REDACTED] may be properly authorized.

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2. [REDACTED] was a staff agent under [REDACTED] who was returned from [REDACTED] to Washington PCS in 1954. He was then called into active military service. This service had no connection with his Agency duty and he was not called into service at the request of the Agency. He tendered his resignation effective 28 August 1954 to enter military service. His household goods which were enroute to Washington from [REDACTED] were sent directly to his home in Montana.

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3. On 1 June 1956 [REDACTED] applied to the Agency for re-employment upon completion of his military service in July. He has requested the Agency to move his household effects from Montana to Washington, D.C., when he is reemployed. Your memorandum of 12 September suggests that he may be entitled to the movement of his household effects under authority of [REDACTED] with a waiver of time limitation under the authority of [REDACTED] paragraph 6d.

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4. [REDACTED], paragraph 3a(1)(b) authorizes the advance transportation of household effects of an employee from a field station prior to the issuance of separation or transfer orders. It does not appear to be pertinent to the factual situation in this case. Upon resignation to enter military service in 1954 subject elected to exercise his right to have his household effects shipped from the field station to his home. His connection with the Agency was severed and the Agency had no further responsibility to him except for compliance with law and regulations pertaining to reemployment rights

of persons separated to enter military service. Those rights do not include the shipment of household effects to the first duty station upon reemployment.

5. It is the opinion of this Office that it would not be in accordance with law for this Agency to move [REDACTED] household effects to Washington, D.C., upon reemployment after completion of military service.

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Mr. [REDACTED] Dir. of [REDACTED] [REDACTED]
[REDACTED] subject [REDACTED] [REDACTED]
[REDACTED]

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[REDACTED]
Office of General Counsel

OGC/JIM:jcf

Distribution:

Orig. - Addressee

1. - Subject ✓

1. - Signer

1. - Chrono

1. - Legal

1. - [REDACTED]

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